



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1616  
Wm Lee  
#11  
4/26/04

Application of: P. RUBIN

Application No.: 10/084,250

Art Unit: 1616

Filed: February 28, 2002

Examiner: M. Haghighatian

For: METHODS AND COMPOSITIONS  
USING NORASTEMIZOLE IN  
COMBINATION WITH  
LEUKOTRIENE INHIBITORS

Attorney Docket No.: 4821-469

**RESPONSE TO NOTICE OF ABANDONMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

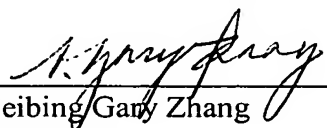
Sir:

Applicants are in receipt of a Notice of Abandonment, dated March 23, 2004, in connection with the above-identified application. It is indicated in the Notice that this application is abandoned for Applicants' failure to timely file a response to the office action of August 8, 2003.

However, Applicants submitted a response, along with required Petition for Extension of Time, on February 9, 2004. Copies of the response, the petition, and return receipt postcard are enclosed herewith. Applicants respectfully request that the Notice be withdrawn, and the response be entered into the record and considered by the Examiner.

Respectfully Submitted,

Date: March 29, 2004

  
Beibing/Gary Zhang 47,331  
(Reg. No.)  
**Jones Day**  
51 Louisiana Avenue, N.W.  
Washington, DC 20001-2113  
(202) 879-3939

For: Anthony M. Insogna (Reg. No. 35,203)  
**Jones Day**  
12750 High Bluff Drive, Suite 300  
San Diego, CA 92130  
(858) 314-1200

Enclosure



Express Mail No. HAND CARRY First Class Mail ( )  
Date Mailed February 9, 2004  
Serial No. 10/084,260 Filed February 28, 2002  
Inventor P. Rubin  
For Methods and Compositions using Norastemizole in Combination  
with Leukotriene Inhibitors

- |                                                                                                  |                                                                               |
|--------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| <input type="checkbox"/> Affidavit/Declaration                                                   | <input type="checkbox"/> Fee Address Indication Form                          |
| <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Response <u>(9 pages)</u> | <input type="checkbox"/> Fee Calculation                                      |
| <input type="checkbox"/> Application <u>      </u> pages                                         | <input type="checkbox"/> Issue Fee Transmittal                                |
| <input type="checkbox"/> <u>      </u> claims <u>      </u> drawing sheets                       | <input type="checkbox"/> Notice of Appeal                                     |
| <input type="checkbox"/> Assignment ( ) Cover Sheet                                              | <input type="checkbox"/> Oral Hearing Request/Confirm                         |
| <input type="checkbox"/> Brief (in triplicate)                                                   | <input checked="" type="checkbox"/> Petition to Extend Time <u>3</u> month(s) |
| <input type="checkbox"/> Declaration & Power of Attorney                                         | <input type="checkbox"/> Petition under 37 C.F.R. <u>      </u>               |
| <input type="checkbox"/> <input type="checkbox"/> Executed ( ) Unexecuted ( ) Copy               | <input type="checkbox"/> Power of Attorney                                    |
| <input type="checkbox"/> Declaration of Inventor(s)                                              | <input type="checkbox"/> ( ) by Assignee ( ) Associate ( ) with Revocation    |
| <input type="checkbox"/> <input type="checkbox"/> Executed ( ) Unexecuted ( ) Copy               | <input type="checkbox"/> Request for Correction of Filing Receipt             |
| <input type="checkbox"/> Design Application                                                      | <input type="checkbox"/> Sequence Listing w/Computer Readable and Paper Copy  |
| <input type="checkbox"/> Disclaimer ( ) Disclaimer Fee                                           | <input type="checkbox"/> Small Entity Statement                               |
| <input type="checkbox"/> Disclosure Statement ( ) Form PTO-1449                                  | <input type="checkbox"/> Status Letter                                        |
| <input type="checkbox"/> ( ) w/refs. ( ) w/o refs.                                               | <input type="checkbox"/> Transmittal Letter                                   |
| <input type="checkbox"/> Drawings, Formal                                                        |                                                                               |
| <u>      </u> Sheets <u>      </u> Figures                                                       |                                                                               |

Other: \_\_\_\_\_

File No. 4821-419-999 Sender: HRT/AMZ

